

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

New claims 26-33 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Currently claims 1-17 and 19-33 are pending.

Double Patenting Rejection

Claims 1, 5-17, and 19-25 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. 10/514,420. Applicants respectfully request that this rejection be held in abeyance until the prior art rejections have been resolved.

Objection to the Specification

The specification is objected to because the abstract is not in proper language and format. A new abstract is attached on a separate sheet. Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. § 112

Claims 14 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The claims have been amended to overcome this rejection. Withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-5, 8, 14, 15, 17, and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,099,902 (hereafter “Shurman”). This rejection is respectfully traversed.

Amended claim 1 recites a metal strand that includes at least two filaments, “wherein at least one filament is interrupted to provide at least one filament end, wherein said filament end is fixed to an uninterrupted filament of said strand using a fixing substance.”

Shurman discloses an offset wound helical bead for pneumatic tires. See Shurman at col. 3, lines 5-11. Shurman discloses a first embodiment in which a bead 1 is formed by a single strand of metal wire 2 wound in a helical configuration. See Shurman at col. 4, lines 46-48. Therefore, the first embodiment of Shurman does not include at least two filaments. Furthermore, the first embodiment of Shurman does not include “at least one filament end, wherein said filament end is fixed to an uninterrupted filament of said strand using a fixing substance.” Shurman discloses that the first embodiment includes three or more circumferentially-spaced securement areas 29 for maintaining the wire strand 2 in its assembled form. See Shurman at col. 5, lines 42-46. In regard to the wire strand 2 ends, Shurman discloses that the ends 26, 27 of the strand 2 are beveled to provide a smooth transition and flat outer bead surface. See Shurman at col. 5, lines 29-32. As shown in Figures 3 and 4 of Shurman, the circumferentially-spaced securement areas 29 are located away from the ends 26, 27 of the strand 2 and do not fix the ends 26, 27 to an uninterrupted filament. Therefore, the first embodiment of Shurman does not disclose all of the features of claim 1.

Shurman discloses a second embodiment in which the individual wire strand is formed into a spiral configuration. See Shurman at col. 5, lines 55-61. However, Shurman does not disclose that this embodiment includes at least two filaments or “at least one filament end, wherein said filament end is fixed to an uninterrupted filament of said strand using a fixing substance.” Therefore, the second embodiment of Shurman does not disclose all of the features of claim 1.

Shurman discloses third and fourth embodiments that include individually wound beads 36, 37 and 46, 47, respectively. See Shurman at col. 6, lines 5-6, 40-44. Shurman discloses that the third embodiment includes ends 38, 39 and that the fourth embodiment includes ends 48. See Shurman at col. 6, lines 11-15, 47-53. Shurman further discloses that the third and fourth embodiments include securement areas 42, 52, respectively. See Shurman at col. 6, lines 24-28, 57-59. As shown in Figures 11-14 of Shurman, the securement areas 42, 52 are located away from the ends 38, 39, 48 and do not fix the ends 38, 39, 48 to uninterrupted filaments. Therefore, the third and fourth embodiments of Shurman does not disclose all of the features of claim 1.

For at least the reasons outlined above, Shurman does not disclose all of the features required by claim 1. Withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 6, 7, 9-13, 16, and 20-25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shurman. This rejection is respectfully traversed. It would not have been obvious to one of ordinary skill in the art to modify the offset helical bead of Shurman to make the metal strand of claim 1. Nor would one of ordinary skill in the art have had motivation to make such a modification. Withdrawal of this rejection is respectfully requested.

The Office appears to take Official Notice in regard to the features of several claims, such as claims 6, 7, 9-13, and 20-25. These features are not commonly known or disclosed in the prior art relied upon by the PTO. Applicants respectfully request that the Office provide prior art to show these features or withdraw the rejection. See M.P.E.P. § 2144.03.

Applicants embodiments provide advantages over the prior art, such as providing a strand that allows for further uninterrupted processing, improved flexibility, and improved mechanical properties over the prior art, which includes the solution of welding ends of strands together.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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